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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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FISHER,

No. C-05-02774 CW (EDL)

Plaintiff,

**ORDER RE: PLAINTIFF'S MOTION TO  
COMPEL**

v.

CITY OF PITTSBURG, et al.,

Defendants.

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On December 4, 2007, Plaintiff filed a motion to compel responses to requests for production of documents and interrogatories, and Defendants opposed the motion on December 18, 2007. Plaintiff failed to file the discovery requests and responses that are the subject of his motion as required by Civil Local Rule 37-2. On January 7, 2008, the Court issued an Order (attached to this Order) requiring Defendants to file with the Court and serve on Plaintiff a copy of Plaintiff's first set of interrogatories, Plaintiff's requests for production of documents and Defendants' responses to this discovery. The Court also ordered Plaintiff to file a supplemental statement in support of his motion to compel no later than January 25, 2008 specifically stating which particular discovery requests are at issue and why he believes responses are necessary, and gave Defendants leave to file a response no later than February 1, 2008.

To date, Plaintiff has not filed a supplemental statement. However, the Court is concerned that Plaintiff may not have received notice of the Court's January 7, 2008 Order. Therefore, the Court will give Plaintiff one more chance to file a supplemental statement in accordance with the

1 Court's January 7, 2008 Order. Plaintiff's statement shall be filed no later than February 25, 2008.  
2 Defendants may file a response no later than March 3, 2008. The Court will rule on Plaintiff's  
3 motion to compel without a hearing.

4 **IT IS SO ORDERED.**

5 Dated: February 11, 2008

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7 ELIZABETH D. LAPORTE  
United States Magistrate Judge

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